



# **Department of Toxic Substances Control Update**

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**SAM Fall Forum  
San Diego, CA  
September 22, 2011**

**John Scandura, Branch Chief  
Brownfields & Environmental Restoration  
Program  
Department of Toxic Substances Control  
Cypress Office**



# Topics

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- New Administration
- Site Cleanup Program and Brownfields Grants
- Green Chemistry Update
- Emerging Contaminants
- Waste Disposal Facility Verification

# New Administration

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- California Environmental Protection Agency
  - Mathew Rodriguez, Secretary
    - CA Dept. of Justice, 1987 - 2011
    - Hayward, Livermore City Attorney Offices, 1981-87
  - State Water Resources Control Board
    - Charles Hoppin, Chair
    - Tom Howard, Exec. Director
  - Air Resources Board - Mary Nichols, Chair
  - OEHHA – Dr. George V. Alexeeff, Acting Director

# Department of Toxic Substances Control



- Debbie Raphael, Director
  - City of San Francisco director for toxics reduction, green business, and green building
  - City of Santa Monica senior environmental program manager
  - Green Ribbon Science Panel Co-Chair
- Chief Legal Counsel – Reed Sato
- Chief Deputy Director – recruiting
- Enforcement Deputy Director – recruiting



# Brownfields and Environmental Restoration Program

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- RCRA Sites
- Tiered Permitting
- State Superfund Sites
- Military Facilities
- NPL Sites
- School Sites
- Brownfields Sites
- Facility Permitting
- Authorizes Tier II CUPA



# DTSC Sites in San Diego County

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- Active Military Bases – 12
- Formerly Used Defense Sites – 4
- Non-RCRA Corrective Action – 10
- RCRA Corrective Action – 8
- School Site Evaluation – 6
- Site Evaluation – 4
- Voluntary Cleanup - 4
- State Response – 4
- County Referrals - 2
- Total - 54



# Tier II Certified Unified Program Agencies (CUPA)

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- Oversee environmental assessments and corrective action at sites with
  - Soil and groundwater contamination
  - Risk Assessment required
- DTSC Approves Applications
  - Personnel and Experience
  - Program Capabilities



# Tier II CUPA's

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- Authorized
  - Los Angeles County
  - Merced County
  - Ventura County
  - San Mateo County
- Applications Submitted
  - San Diego County
  - Sacramento County





# Brownfields Tools

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- Voluntary Cleanup Agreements
- Consultative Services Agreements
- CLRRRA Agreements
  - Prospective Purchaser
  - Liability Relief
- Targeted Site Investigation Program
  - Grants up to \$75,000 for site assessments
  - Local agencies, school districts, non-profits



# Revolving Loan Fund

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- Fosters Brownfield remediation by providing gap financing for cleanup activities.
- U.S. EPA awarded DTSC Total \$5.8 M
  - \$3.2 Million loans
  - \$2.6 Million sub-grants



# Loans and Sub-grants

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- Five Housing Projects - \$3.815 million
  - Low Income Housing
    - \$613,000 sub-grants, \$277,000 loan
  - Private Housing Projects
    - \$1.25 M RLF; \$1.675 M ARRA Funds loan
- Five Open Spaces Projects
  - \$1.76 M sub-grants
- Two Community Redevelopment Projects
  - \$250,000 sub-grant

# Brownfield Revolving Loans



## **Orvieto Family Apartments, San Jose**

- 139 new, 35 permanent jobs
- 92 below-market apartments
- Part of Montecito Vista Urban Village



## **178 Townsend, San Francisco**

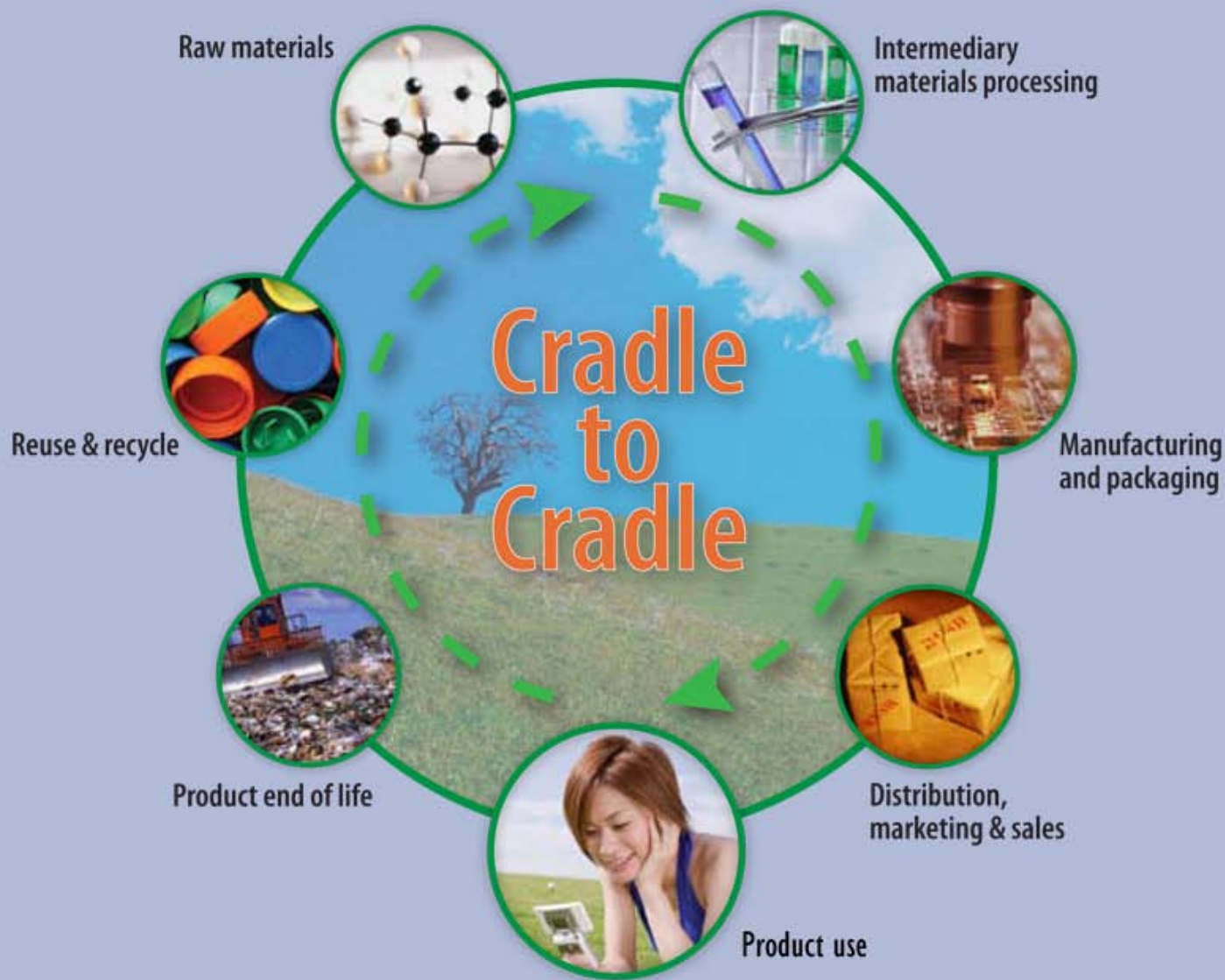
- 100 new, 60 permanent jobs
- 94 high density units, 19 affordable
- Transit-oriented redevelopment



## **2235 Third Street, San Francisco**

- 200 new construction jobs
- 196 new units, 39 affordable
- LEED Gold Certification

# Green Chemistry Update





# DTSC Proposed Regulatory Process

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- DTSC identifies and prioritizes chemicals
- Alternatives assessment for priority chemicals
  - Performed by manufacturer
  - Identify safer alternatives
- Regulatory response action
- Revised Draft Regulations to be released in October



# Emerging Chemicals

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- Unregulated chemicals; or
- Regulatory standards under development or revision
- Public Health Goals (PHG)
  - Developed by OEHHA
  - Not regulatory requirements
  - Used by Department of Public Health to update State Maximum Contaminant Levels



# Emerging Chemicals

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- Hexavalent chromium
- Lead in drinking water
- Perchlorate
- N-Nitrosodimethylamine
- 1,2,3 Trichloropropane
- 1, 4 Dioxane
- Pharmaceuticals





# Proposed PHG

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- Hexavalent chromium
  - Proposed 0.02 parts per billion (0.02 micrograms per liter) in drinking water
- Lead in drinking water
  - 0.2 ppb (or 0.2  $\mu\text{g/L}$ ) for lead in drinking water (2009)
  - DTSC requirements for Low-Lead Plumbing Products (2009)
    - 0.2 percent lead in solder and flux
    - 0.25 percent lead in pipes, fittings and fixtures



# Proposed PHGs

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- Perchlorate
  - Current MCL is 6 ppb (2004)
  - Proposed PHG is 1 ppb (2011)
- N-Nitrosodimethylamine
  - Component of rocket fuel (UDMH) and by-product of chlorinated water treatment
  - 0.003 ppb in drinking water (2006)
- 1,2,3 Trichloropropane
  - 0.0007 ppb in drinking water (2009)



# Emerging Contaminants

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- 1,4-Dioxane
  - Trace contaminant in chlorinated solvents, cosmetics, shampoos and detergents
  - Notification Level in 3 ppb in drinking water
  - No PHG or MCL
- Pharmaceuticals
  - Some regulated as hazardous waste, others as medical wastes
  - Exemptions for households and small quantity generators



# Waste Disposal Facility Verification

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- Western Environmental, Inc., Mecca, CA
  - Not authorized to accept California hazardous wastes
  - Odor complaints, illness to nearby residents and school students
- DTSC Internal Audit
- State Access Agreements with Cabazon Tribe and WEI



# Waste Disposal Facility Verification

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- Remedial Action Plans (RAP) and Removal Action Workplans (RAW) Must Disclose
  - Wastes generated
  - Disposal facilities where wastes to be taken
- DTSC staff independently verifies facilities can take wastes before approving a RAP or RAW



# Thank You

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